



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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October 31, 2002

In reply refer to:

6840(P)

CA-930

EMS TRANSMISSION: 10/31/02

Instruction Memorandum No. CA-2003-008

Expires: 09/30/2003

To: Field Managers, Alturas, Redding, Folsom, Hollister, and Bakersfield

From: State Director

Subject: Proposed Critical Habitat for Fifteen Vernal Pool Species

DD: 11/22/02

On September 24, 2002, the Fish and Wildlife Service (FWS) published a notice (*Federal Register* 67:59884-60039) proposing critical habitat for the following vernal pool species (four crustaceans and 11 plants) in California and southern Oregon:

Conservancy fairy shrimp (*Branchinecta conservatio*)
Longhorn fairy shrimp (*Branchinecta longiantenna*)
Vernal pool fairy shrimp (*Branchinecta lynchi*)
Vernal pool tadpole shrimp (*Lepidurus packardii*)
Contra Costa goldfields (*Lasthenia conjugens*)
Hoover's spurge (*Chamaesyce hooveri*)
Succulent (or fleshy) owl's clover (*Castilleja campestris* ssp. *succulenta*)
Colusa grass (*Neostapfia colusana*)
Greene's tuctoria (*Tuctoria greenei*)
Hairy Orcutt grass (*Orcuttia pilosa*)
San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*)
Slender Orcutt grass (*Orcuttia tenuis*)
Butte County meadowfoam (*Limnanthes floccosa* ssp. *californica*)
Sacramento Orcutt grass (*Orcuttia viscida*)
Solano grass (*Tuctoria mucronata*)

There is some overlap of proposed critical habitat with BLM administered land for the first twelve species listed above. A search of electronic files for the proposed rule revealed an overlap of BLM administered land with proposed critical habitat in the acreages shown in Table 1 for the different critical habitat units. A general location map of proposed critical habitat (for all fifteen species) is shown in Attachment 1. The complete Federal Register notice may be downloaded from the Sacramento Fish and Wildlife website (<http://sacramento.fws.gov/es/vernal/vernal.htm>) or it may be obtained as a pdf file via Lotus Notes by contacting Ed Lorentzen.

Table 1. Proposed Vernal Pool Species Critical Habitat Units that Overlap with BLM Land

Critical Habitat Unit, by Species	Counties	Approximate BLM Acreage
Conservancy fairy shrimp		
Unit 6 (Merced)	Merced & Mariposa	8 acres BLM
Longhorn fairy shrimp		
Unit 3 (Carrizo Plain)	San Luis Obispo	15,549 acres BLM
Vernal Pool fairy shrimp		
Unit 5 (Redding)	Shasta	42 acres BLM
Unit 11 (Beale)	Yuba & Placer	8 acres BLM
Unit 13 (Mather)	Sacramento	18 acres BLM
Unit 14 (Cosumnes)	Sacramento	Unspecified
Unit 21 (Stanislaus)	Stanislaus & Merced	17 acres BLM
Unit 22 (Merced)	Merced & Mariposa	8 acres BLM
Unit 25 (Kennedy Table)	Madera	161 acres BLM
Unit 28 (San Benito County)	San Benito & Monterey	3,906 acres BLM
Unit 29 (Central Coastal Ranges)	Monterey & San Luis Obispo	2 acres BLM
Unit 30 (Carrizo Plain)	San Luis Obispo	15,549 acres BLM
Unit 31 (Lake Cachuma Area)	Santa Barbara	92 acres BLM
Vernal Pool tadpole shrimp		
Unit 1 (Stillwater Plains)	Shasta	42 acres BLM
Unit 2 (Dales)	Shasta & Tehama	15,383 acres BLM
Unit 4 (Oroville)	Butte & Yuba	119 acres BLM
Unit 7 (Beale)	Yuba & Placer	13 acres BLM
Unit 8 (Mather)	Sacramento	16 acres BLM
Unit 9 (Cosumnes)	Sacramento	Unspecified
Unit 15 (Merced)	Merced & Mariposa	26 acres BLM
Unit 17 (Table Mountain)	Fresno	209 acres BLM
Contra Costa Goldfields		
Unit 9 (Fort Ord)	Monterey	1,039 acres BLM
Hoover's Spurge		
Unit 7 (Tulare)	Tulare	33 acres BLM
Succulent Owl's Clover		
Unit 6 (Table Mountain)	Fresno & Madera	371 acres BLM
Colusa Grass		
Unit 6 (Merced)	Merced & Mariposa	8 acres BLM
Greene's Tuctoria		
Unit 7 (Merced)	Merced & Mariposa	4 acres BLM
Hairy Orcutt Grass		
Unit 4 (Turlock)	Stanislaus & Mariposa	17 acres BLM
San Joaquin Valley Orcutt Grass		
Unit 1 (Merced)	Merced & Mariposa	8 acres BLM
Unit 5 (Table Mountain)	Fresno & Madera	6,886 acres BLM
Slender Orcutt Grass		
Unit 2 (Stillwater Plains)	Shasta	81 acres BLM
Unit 3 (Inskip Hill)	Tehama & Shasta	15,384 acres BLM

Please review the proposed rule, and associated maps, and advise CA-930 (Attn: Ed Lorentzen) if you have comments or suggestions regarding the proposed critical habitat boundaries, or any other aspects of the proposed rule. The deadline for submitting comments to FWS is November 25, 2002. Please provide us with your comments, if any, in electronic format by the close of business November 22, 2002.

Now that critical habitat has been proposed for these species, the conference requirements of Section 7(a)(4) of the Endangered Species Act and its implementing regulations at 50 CFR 402.10 are applicable to any BLM actions likely to cause the destruction or adverse modification of proposed critical habitat. Additionally, the guidance in Manual Section 6840.06B1 calls for BLM to confer with FWS "... on any action that is likely to adversely affect a proposed species or proposed critical habitat." Any outstanding requests for formal consultation with FWS on any of these vernal pool species should be updated to include conference on proposed critical habitat.

Questions regarding this proposed rule may be directed to John Willoughby or Ed Lorentzen at (916) 978-4630.

Signed by:
James Wesley Abbott
Associate State Director

Authenticated by:
Richard A. Erickson
Records Management

Attachment

1 - Proposed Vernal Pool Critical Habitat, California and Southern Oregon (All Species) (1 p.)

Distribution

OR-930 (Attn: Barb Hill) (w/attachment)
CA-330 (Attn: Paul Roush) (w/attachment)
CA-610 (Attn: Larry Foreman) (w/attachment)
WO-230, MS 204 LS (Attn: Peggy Olwell) (w/attachment)